

Position Description For:

General Counsel

On Behalf Of:



November 2021

ORGANIZATIONAL SUMMARY:

From Earthjustice:

Earthjustice is the premier nonprofit environmental law organization. We take on the biggest, most precedent-setting cases across the country. We wield the power of law and the strength of partnership to protect people’s health; to preserve magnificent places and wildlife; to advance clean energy; and to combat climate change. We partner with thousands of groups, supporters, individuals, and communities to engage the critical environmental issues of our time and bring about positive change. We are here *because the earth needs a good lawyer.*

Founded in 1971, Earthjustice has a distinguished track record of achieving significant, lasting environmental protections. We achieve this by hiring people who share a passion for justice and a healthy environment. Our largest office is in San Francisco, and we also have offices in Anchorage, Juneau, Los Angeles, Tallahassee, Miami, Honolulu, New York, Chicago, Philadelphia, Denver, Seattle, Bozeman, and Washington, DC.

POSITION SUMMARY:

JOB TITLE	General Counsel	GRADE	32
REPORTS TO	SVP of Operations	STATUS	Full-time
FLSA	Exempt	STANDARD	37.5
STATUS	San Francisco	WORK HOURS	
LOCATION	(preferred) or DC		

The General Counsel (GC) is responsible for providing legal advice and counsel to the President. The GC also advises Executive and Program Leadership Teams, Board, and all staff members on a range of matters. The GC also leads and facilitates the risk management strategy for the organization. In addition, the GC supports the law practice management functions of our public interest law firm, including supervising the Deputy General Counsel and overseeing other GC office staff including the Litigation Operations Manager, E-discovery Specialist and Litigation Specialists. The GC supports complex business transactions, including negotiating critical contracts and overseeing the work of outside counsel in a variety of disciplines. The GC is also responsible for developing, reviewing, and ensuring proper maintenance of corporate governance documents and corporate document management standards. In addition, the GC serves as Secretary of the affiliated 501 (c)(4) organization called Earthjustice Action (“EJA”) and oversees the governance and compliance of that separate organization.

ESSENTIAL DUTIES AND RESPONSIBILITIES

Corporate Counsel (45%):

- Provide general legal advice and services directly to the President.
- Provide general legal advice and services to other Earthjustice leadership and staff across the organization.
- Fulfill Board-defined role of Assistant Corporate Secretary; provide advice and drafting with respect to Earthjustice's corporate legal and governance records.
- Draft and review contracts; advise staff to ensure all contracts are in the best interests of Earthjustice and protective of Earthjustice assets.
- Serve as strategic thought partner to President and Executive Leadership Team as needed.
- Choose, retain, and supervise outside counsel to provide legal services to Earthjustice regarding organization-wide corporate legal matters and litigation against the organization; function as the client representative of Earthjustice.
- Interpret laws, rulings and regulations and determine how they apply to Earthjustice.
- Oversee implementation of conflict-of-interest policy and related disclosure procedures.
- Work with outside immigration counsel to secure necessary visas.
- Perform other duties as needed.

Compliance/Risk Management Plan (25%):

- Oversee the ongoing identification and assessment of organizational risk exposure in partnership with organizational leadership and management.
- Ensure that Executive Leadership Team members are aware of organizational risk exposures and facilitate their responsiveness to and accountability for risk management plans and strategies.
- Develop and manage an annual compliance review program to ensure that Earthjustice's activities meet applicable regulations and mitigate risks as appropriate, including:
 - Partner with the VP of Finance to assess and maintain proper insurance coverage.
 - Partner with the VP of Human Resources and VP of Real Estate and Workplace Strategy on assessing occupational health and safety issues as well as other employment-related risks.
 - Lead information dissemination, institutional training, and staff education on topics of risk management and mitigation, recommending internal and external sources of information and education as appropriate.

- Serve as member of emergency planning and business recovery efforts, ensuring that there is a clear link between the Earthjustice risk management program and such efforts.
- Provide compliance guidance on significant organizational issues including data security and proposed data security improvements.
- Advise VP of Human Resources, other leaders, and staff on employment-related issues.
- Advise VP of Diversity, Equity, and Inclusion (“DEI”) and staff on legal matters that develop in the process of creating DEI initiatives and policies.
- Counsel VP of Communications and staff regarding best practices and policies.
- Advise VP of Development and staff on policies and navigating new initiatives or planned practices as well as donor information handling and EJA fundraising.
- Maintain trademark registrations and protections.
- Draft and revise organizational policies.

Litigation Practice (20%):

- Oversee litigation against the organization.
- Oversee response to investigations by governmental entities.
- Advise Development Department regarding administration and resolution of trusts and estates-related litigation or proceedings.

Supervisory Responsibilities (10%):

- Directly supervise the Deputy General Counsel who provides advice to program staff on law practice matters and manages the work of Litigation Operations Group.
- Directly supervise the Senior Counsel – Contracts and Compliance who manages the contract management platform, reviews contracts/recommends contract revisions to internal clients and oversees the corporate insurance program.
- Contribute to recruiting, hiring, developing, and retaining a diverse and inclusive workforce.

ESSENTIAL SKILLS AND ABILITIES:

- Demonstrated legal expertise, including experience with litigation.
- Demonstrated creativity in helping the client “get to yes.”
- Ability to quickly grasp, research and assess a broad range of complex problems and present sensible solutions and alternatives.
- Ability to summarize information and succinctly and clearly communicate analyses verbally and in writing to a range of internal clients.
- Willingness to “roll up sleeves” and work with limited support.
- Strong attention to detail and care in executing written work.

- Ability to serve as a sought after thought partner; capable of proactively assessing organizational needs and challenges, identifying potential responses and skillfully working to implement solutions.
- Demonstrated integrity, strong work ethic, and sound judgment.
- Outstanding communication skills, including the ability to translate complex legal concepts into layman's terms and provide informative training and instruction to groups of staff and Board members.
- Facility with developing collaborative relationships and managing and working with teams.
- Strong ability to juggle multiple projects, prioritize, meet deadlines, and see tasks through to completion.
- Management and leadership skills, including the ability to motivate others to perform well, provide regular performance feedback, develop staff skills, and strive for ways to improve.
- Ability to leverage technology, particularly database or web-based information platforms.
- Proficiency in Microsoft Office applications.
- Support for Earthjustice's mission and advocacy-based approach to solving environmental problems.
- Demonstrated awareness and sensitivity to the needs and concerns of individuals from diverse cultures, backgrounds, and orientations.
- Commitment to making contributions to recruiting, hiring, developing, and retaining a diverse and inclusive workforce.

EDUCATION AND/OR EXPERIENCE:

REQUIREMENTS:

- J.D. and at least 15 years of successful experience practicing law.
- Bar admission and good standing in the jurisdiction where the candidate will practice. Membership in the CA bar or knowledge of CA law preferred. Those with strong credentials and experience located in Washington, DC and belonging to the Washington, DC bar will also be considered.
- Previous experience as general counsel or lead senior attorney with broad portfolio and staff management experience.
- Experience working on matters of corporate governance.
- Knowledge of labor and employment law.
- Knowledge of laws that govern communications and use of media.
- Knowledge of data security and privacy laws.
- Experience overseeing key elements of organizational risk assessment and management.

- Experience with cost effective management of outside legal resources.
- Working knowledge of federal tax law as it applies to §501(c)(3) and (c)(4) organizations in general and public-interest law firms in particular.
- Non-profit experience required, although it can be through *pro bono* service.

PREFERRED:

- Knowledge of non-profit corporate law in the state of California.
- Significant experience working with clients in a corporate law department.
- Experience supervising staff and contributing to training and organizational learning.
- Experience with commercial real estate leases.
- Experience in analyzing and addressing legal ethics matters.
- Knowledge of state and local lobbying laws.
- Knowledge of laws governing all aspects of fundraising.
- Experience determining risks and business requirements of countries other than the US.
- Experience overseeing a corporate insurance program or knowledge of insurance law
- Some knowledge of US immigration law.

PHYSICAL DEMANDS:

Skill in operating various office equipment, including computers, copy machine, facsimile machine, typewriter, and telephone system. Ability to perform routine bending, reaching, and stooping as required for filing and operating office equipment.

PLEASE NOTE:

Earthjustice's headquarters at 50 California Street in San Francisco is the strongly preferred work location for this position. Well-qualified candidates located in DC will also be considered. Travel to attend Board meetings and occasional travel to Earthjustice regional offices across the country and internationally may be required from time to time.

The statements herein are intended to describe the general nature and level of work being performed by employees assigned to this classification. They are not intended to be construed as an exhaustive list of all responsibilities, duties, and skills required for personnel so classified.

SALARY AND BENEFITS:

Earthjustice offers a competitive salary and excellent benefits that are comprehensive. In addition to the interesting and important work of the General Counsel, the organization also offers an extremely congenial work environment and a casual dress code.

The annual salary ranges for the General Counsel role at Earthjustice:

- San Francisco-based range of \$259,000 to \$287,000
- Washington, D.C.-based range of \$246,000 to \$273,000

EQUAL EMPLOYMENT OPPORTUNITY STATEMENT:

Earthjustice is driven by a passion for justice, partnership, and excellence. Our core values lead us to seek a broad range of perspectives and backgrounds to achieve our mission and to maintain an inclusive environment where all staff are valued and respected. As an equal opportunity employer, we are committed to employment practices that ensure that employees and applicants for employment are provided with equal opportunities without regard to race, color, national origin, ancestry, sex, age, religion, physical or mental disability, medical condition, veteran status, marital status, pregnancy, sexual orientation, gender identity, gender expression, genetic information or any other factor that is not related to the position.

APPLICATION PROCESS:

Interested, qualified attorneys should submit an electronic copy of their letter of interest and their resume to the following search consultants:

Steve John
Senior Partner
Steven John & Associates, LLC
steve@sjanda.com
(415) 505-6685

Jason Snyder
Partner
Steven John & Associates, LLC
jason@sjanda.com
(415) 505-6687

All inquiries and/or application materials sent directly to Earthjustice will be redirected to Steven John & Associates, LLC for review, which may cause significant delay in evaluation and response.

On behalf of Earthjustice, we thank you for your interest in the General Counsel opportunity.